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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,062	05/12/2005	Mauri Kangas	886A.0010.U1(US)	2391
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EXAMINER				
AU, GARY				
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2617				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/535,062

**Applicant(s)**

KANGAS, MAURI

**Examiner**

Gary Au

**Art Unit**

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/14/2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 5, 6, 8-10, 12, 14, 15, 17, 28-31, 41, 42, 44, 45 and 47-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 6, 8-10, 12, 14, 15, 17, 28-31, 41, 42, 44, 45 and 47-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-3, 5, 6, 8-10, 12, 14, 15, 17, 28-31, 41, 42, 44, 45 and 47-56 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 5, 7, 10, 31, 42, 44, 45, 49, 50, 52, 53, 55 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application 2002/0092024 Nagaoka et al. (Nagaoka) and further in view of US Patent No. 7,222,354 Ching et al. (Ching) and US Patent No. 6,754,908 (Medvinsky).

As to claims 1, 10 and 50, Nagaoka teaches a method and an apparatus comprising: sending to a digital broadcast receiver ([0044]) where the messages comprises at least one of messages derived from a different network ([0061]) and message emanating from a different network ([0061]). However, Nagaoka fails to disclose message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network in at least one individual

address corresponding to said digital broadcast receiver, storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto, wherein said message detection data comprises at least one of message detection data including identity data corresponding to an individual identification code of configuring said digital broadcast receiver to receive individually addressed messages through said broadcast network.

In an analogous art, Ching teaches message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network in at least one individual address corresponding to said digital broadcast receiver (col. 3 lines 4-8 and col. 5 lines 16-35), inherently teaches storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver), wherein said message detection data comprises at least one of message detection data including identity data corresponding to an individual identification code of configuring said digital broadcast receiver to receive individually addressed messages through said broadcast network (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include message detection data that allows said digital broadcast receiver to identify messages broadcast through said

digital broadcast network in at least one individual address corresponding to said digital broadcast receiver, storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto, wherein said message detection data comprises at least one of message detection data including identity data corresponding to an individual identification code of configuring said digital broadcast receiver to receive individually addressed messages through said broadcast network, as taught by Ching, for the advantage of receiving different content based on the demographics (col. 3 lines 4-8).

However, the combined system of Nagaoka and Ching fails to disclose for each individual address for each digital broadcast receiver.

In an analogous art, Medvinsky teaches for each individual address for each digital broadcast receiver (col. 3 lines 3-14).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Ching to include for each individual address for each digital broadcast receiver, as taught by Medvinsky, for the advantage of allowing sending information to an individual set top box (col. 3 lines 3-14).

As to claims 3, 42 and 52, Nagaoka teaches the digital broadcast receiver comprises a set top box (set top box 4 – figure 1, [0036]).

As to claims 5, 44 and 53, Nagaoka teaches the system as described above. However, Nagaoka fails to disclose said digital broadcast receiver has said individual identification code stored therein, and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data.

In an analogous art, Ching teaches said digital broadcast receiver has said individual identification code stored therein (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver), and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include said digital broadcast receiver has said individual identification code stored therein, and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data, as taught by Ching, for the advantage of receiving different content based on the demographics (col. 3 lines 4-8).

However, the combined system of Nagaoka and Ching fails to disclose for each individual address for each digital broadcast receiver.

In an analogous art, Medvinsky teaches for each individual address for each digital broadcast receiver (col. 3 lines 3-14).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Ching to include for each individual address for each digital broadcast receiver, as taught by Medvinsky, for the advantage of allowing sending information to an individual set top box (col. 3 lines 3-14).

As to claims 6 and 45, Nagaoka teaches said at least one individual address corresponds to an individual identification code of said digital broadcast receiver ([0053]).

As to claims 31 and 56, Medvinsky teaches message detection data corresponds to an individual identification code for said digital broadcast receiver and the digital broadcast network is arranged to include said individual identification code in said message detection data (col. 3 lines 3-14).

As to claim 49, Nagaoka teaches said digital broadcast receiver is integrated into a display device that displays a video portion from a message received by the digital broadcast receiver ([0044]).

As to claim 55, Ching teaches address comprises a group address for a message multicast through said digital broadcast network (col. 3 lines 23-31).

4. Claims 9, 12, 14, 17, 28, 48 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application 2002/0092024 Nagaoka et al. (Nagaoka) and further in view of US Patent No. 7,222,354 Ching et al. (Ching), US Patent No. 6,754,908 (Medvinsky) and US Patent No. 6,845,230 (Syed).

Considering claims 12 and 28, Nagaoka teaches a method and an apparatus comprising: sending to a digital broadcast receiver ([0044]) where the messages comprises at least one of messages derived from a different network ([0061]) and message emanating from a different network ([0061]). However, Nagaoka fails to disclose message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network in at least one individual address corresponding to said digital broadcast receiver, storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto, wherein said message detection data comprises at least one of message detection data including identity data corresponding to an individual identification code of configuring said digital broadcast receiver to receive individually addressed messages through said broadcast network.

In an analogous art, Ching teaches message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network in at least one individual address corresponding to said digital broadcast



receiver (col. 3 lines 4-8 and col. 5 lines 16-35), inherently teaches storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver), wherein said message detection data comprises at least one of message detection data including identity data corresponding to an individual identification code of configuring said digital broadcast receiver to receive individually addressed messages through said broadcast network (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify Nagaoka's system to include message detection data that allows said digital broadcast receiver to identify messages broadcast through said digital broadcast network in at least one individual address corresponding to said digital broadcast receiver, storing said message detection data for use in said digital broadcast receiver to detect messages addressed thereto, wherein said message detection data comprises at least one of message detection data including identity data corresponding to an individual identification code of configuring said digital broadcast receiver to receive individually addressed messages through said broadcast network, as taught by Ching, for the advantage of receiving different content based on the demographics (col. 3 lines 4-8).

However, the combined system of Nagaoka and Ching fails to disclose message detection data which is encrypted using a substantially unique key associated with said digital receiver.

In an analogous art, Syed teaches message detection data which is encrypted using a substantially unique key associated with said digital receiver (col. 13 line 66 – col. 14 line 6).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Ching to include message detection data which is encrypted using a substantially unique key associated with said digital receiver, as taught by Syed, for the advantage of providing security to the data.

However, the combined system of Nagaoka and Ching fails to disclose for each individual address for each digital broadcast receiver.

In an analogous art, Medvinsky teaches for each individual address for each digital broadcast receiver (col. 3 lines 3-14).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Ching to include for each individual address for each digital broadcast receiver, as taught by Medvinsky, for the advantage of allowing sending information to an individual set top box (col. 3 lines 3-14).

Considering claims 14 and 54, Nagaoka teaches the system as described above. However, Nagaoka fails to disclose said digital broadcast receiver has said individual identification code stored therein, and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data.

In an analogous art, Ching teaches said digital broadcast receiver has said individual identification code stored therein (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver), and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data (col. 3 lines 4-8 and col. 5 lines 16-35, wherein the receiver has to have the group addressing information stored on the receiver to decide which messages belongs to the receiver).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Ching to include said digital broadcast receiver has said individual identification code stored therein, and said method includes identifying said identity data and selectively storing in said digital broadcast receiver said detection data corresponding to said stored identity data, as taught by Ching, for the advantage of receiving different content based on the demographics (col. 3 lines 4-8).

Considering claim 17, Nagaoka teaches said at least one individual address corresponds to an individual identification code of said digital broadcast receiver ([0053]).

Considering claims 9 and 48, Nagaoka teaches said message detection data includes a plurality of addresses associated with an individual identification code of said digital broadcast receiver ([0053]). However, the combined system of Nagaoka and Ching fails to disclose decryption keys associated with individual ones of said addresses.

In an analogous art, Syed teaches decryption keys associated with individual ones of said addresses (col. 13 line 66 – col. 14 line 6).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Ching to include decryption keys associated with individual ones of said addresses, as taught by Ching, for the advantage of receiving different content based on the demographics (col. 3 lines 4-8).

5. Claims 2, 15, 29, 30, 41 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka) and US Patent No. 7,222,354 Ching et al. (Ching), US Patent No. 6,754,908 (Medvinsky) as applied to claims 1, 10 and 23 above, and further in view of US Patent Application No. 2003/0056220 Thornton et al. (Thornton).

Considering claims 2, 15, 29, 30, 41 and 51, the combined system of Nagaoka and Ching teaches a method according to claim 1 but fails to disclose the messages comprises MMS messages.

In an analogous art, Thornton teaches MMS message ([0006]).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Syed to include MMS message, as taught by Thornton, for the advantage of increasing the media that can be sent among mobile devices ([0006]).

6. Claims 8 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2002/0092024 Nagaoka et al. (Nagaoka), US Patent No. 6,754,908 (Medvinsky) and US Patent No. 6,845,230 (Syed) as applied to claim 1 and 10 above, and further in view of US Patent No. 6,993,327 (Mathis).

As to claims 8 and 47, the combined system of Nagaoka and Syed teaches method of claim 1 but fails to disclose a group address for a message multicast through the network.

In an analogous art, Mathis teaches a group address for a message multicast through said digital broadcast network (col. 6 lines 1-10).

It would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the combined system of Nagaoka and Syed to include a group address for a message multicast through said digital broadcast network, as

taught by Mathis, for the advantage of reducing network traffic (col. 1 line 52 – col. 2 line 9).

### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary Au whose telephone number is (571) 272-2822. The examiner can normally be reached on 8am-5pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on (571) 272-7605. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/  
Supervisory Patent Examiner, Art Unit 2617

/Gary Au/  
Examiner, Art Unit 2617